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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 JASMYNN RUSSELL,

16 Plaintiff,

17 v.

18 JAMES RIVER INSURANCE; DOES I
19 through X; and ROE CORPORATIONS I
20 through X, inclusive,

21 Defendant.

22 **CASE NO. 2:21-cv-00545-APG-EJY**

23 **STIPULATION AND ORDER TO
24 EXTEND DISCOVERY DEADLINES
(First Request)**

25 Plaintiff, JASMYNN RUSSELL, and Defendant, JAMES RIVER INSURANCE
26 COMPANY, through their respective counsel submit the foregoing stipulation and order to
27 extend discovery deadlines pursuant to LR 26-4 as follows:

28 1. Summary of Discovery Completed

29 To date, the following discovery has been completed in this case:

30 **ITEM**

31 **DATE COMPLETED**

32 Plaintiff's Initial FRCP 26(a) Disclosures

33 June 8, 2021

1	Defendant's Initial FRCP 26(a) Disclosures	June 28, 2021
2	Plaintiff's First Set of Interrogatories to Defendant	July 1, 2021
3	Plaintiff's First Set of Requests for Production	July 1, 2021
4	Defendant's Responses to First Set of Interrogatories	August 13, 2021
5	Defendant's Responses to First Set of Requests for Production of Documents	August 13, 2021
6	Defendant's First Supplemental Disclosures	August 13, 2021
7	Defendant's First Set of Interrogatories to Plaintiff	August 31, 2021
8	Defendant's First Set of Requests for Production of Documents to Plaintiff	August 31, 2021
9	Defendant First Set of Requests for Admission to Plaintiff	August 31, 2021
10	Plaintiff's Answers to Defendant's Interrogatories	October 4, 2021
11	Plaintiff's Responses to Defendant's Requests for Production of Documents	October 4, 2021
12	Plaintiff's Responses to Defendant's Requests for Admission	October 4, 2021
13	Defendant's Second Set of Interrogatories to Plaintiff	September 30, 2021
14	Defendant's Second Set of Requests for Production of Documents to Plaintiff	October 4, 2021
15	Defendant's Second Set of Requests for Admission to Plaintiff	October 4, 2021
16	Defendant's Expert Witness Disclosure	October 7, 2021
17	In addition, Plaintiff has served Notice of Taking Custodian of Record Depositions	
18	regarding Plaintiff's medical providers.	
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1 2. Discovery Remaining:

2 The following discovery remains to be completed:

3 1) Deposition of Person(s) Most Knowledgeable for Defendant;

4 2) Deposition of Plaintiff;

5 3) Deposition(s) of percipient witnesses;

6 4) Deposition(s) of treating physicians;

7 5) Plaintiff's Disclosure of Expert Witnesses;

8 6) Disclosure of Rebuttal Expert Witnesses, if applicable;

9 7) Deposition(s) of all Expert Witnesses; and

10 8) Defendant is continuing to obtain Plaintiff's medical records from the subpoenaed

11 medical providers.

12 3. Reason Why Discovery Was Not Completed

13 Discovery in this matter is currently scheduled to close on December 6, 2021 with initial

14 expert disclosures due by October 7, 2021. Although discovery has diligently progressed since

15 the Scheduling Order was filed on June 21, 2021, additional time is required to work through

16 scheduling issues so that discovery may be completed. Discovery has been delayed due to

17 Plaintiff being an Active Duty Air Force Reservist who has been sent to other duty locations on

18 temporary orders (TDY) through the last four (4) months resulting in delays in discovery

19 responses. In addition, the majority of Plaintiff's medical care alleged to be related to the

20 matter was conducted at Mike O'Callaghan Federal Hospital, Nellis Air Force Base and the

21 applicable medical records have been slow to be produced due to the number of clinics and

22 providers that must be coordinated for a complete record. It has also been difficult to procure

23 the appropriate curriculum vitae, and related documents from many of the providers at the Air

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1 Force Base due to the transitory nature of the medical providers who are all active duty military
 2 personnel no longer assigned to Nellis Air Force Base, or on TDY to other facilities world-wide
 3 in Covid Relief or Military Operations.

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 5 This is the first request for an extension of discovery deadlines in this matter. The
 6 parties have agreed to an eighty (80) day extension of discovery deadlines to ensure that the
 7 necessary discovery is completed.

8 4. Proposed Schedule for Completing Discovery

9 Accordingly, the parties respectfully request that this Court enter an order setting the
 10 following discovery plan and scheduling order dates:

12 EVENT	13 FORMER DEADLINE	14 NEW DEADLINE
Motions to amend pleadings and add parties	September 7, 2021	Closed
Initial Expert Disclosures	October 7, 2021	December 27, 2021
Rebuttal Expert Disclosures	November 6, 2021	January 26, 2022
Discovery Cut Off	December 6, 2021	February 25, 2022
Dispositive Motions	January 5, 2022	March 28, 2022
Joint Pre-Trial Order	February 4, 2022	April 27, 2022

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1 Counsel for both parties further state that the requested extension of discovery deadlines
2 is not interposed for purposes of delay, but rather for the purposes set forth above.
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4 DATED this 2nd day of November, 2021.

5 MOSS BERG INJURY LAWYERS

6 /s/ Boyd B. Moss

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DATED this 2nd day of November, 2021.

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/s/ Matthew J. Cook

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14 **ORDER**

15 IT IS SO ORDERED.

16 DATED this 2nd day of November, 2021.

17 
18 UNITED STATES MAGISTRATE JUDGE

19 Submitted by:

20 MOSS BERG INJURY LAWYERS

21 /s/ Boyd B. Moss

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